## IN THE CLAIMS:

**Please amend the claims as follows:**

1-15 (cancelled)

16 (previously presented). A method for determining a baseboard management controller mode, the method comprising:

sending mode requests from a plurality of system management controllers in a computer system to other system management controllers in the computer system; and

determining one of the system management controllers to be a baseboard management controller based on the absence of a response to a mode request sent by that system management controller,

wherein the method further comprises sending from a first of the system management controllers a response to a mode request received from a second of the system management controllers, wherein the response by the first management controller is based at least in part upon a negotiation protocol state of the first system management controller,

wherein the mode requests and responses are sent as messages that comply with the Intelligent Platform Management Interface specification.

17 (Cancelled).

18 (Previously Presented). The method of claim 16, wherein the response by

the first management controller is based at least in part upon the relative

priority of the first and second system management controllers.

19 (Original). The method of claim 18, wherein the priority is based on at least

one of a controller mode capability, a user preference, a controller's module

type, or a controller geographical address.

20 (Original). The method of claim 19, wherein controller geographical

address is the last factor considered in determining priority.

21 (Cancelled).

22 (Previously Presented). The method of claim 16, wherein the method

further comprises determining the mode of the second system management

controller based at least in part on the content of the response.

23 (Original). The method of claim 16, wherein the method is performed as

part of a controller initiation processes.

24 (Original). The method of claim 16, wherein there is an absence of a response to a mode request if a threshold number of requests have been sent by the controller without receiving a response within a timeout period.

25 (Original). The method of claim 24, wherein a system management controller that does not receive a response to a controller mode request within a time-out period retries the request at least once before determining that the system management controller is to be the baseboard management controller.

26 (Original). The method of claim 16, wherein the mode requests contain information relating to the operational modes in which the controller sending the request is capable of operating.